

REMARKS

Reconsideration of this application is respectfully requested.

In the Office Action, the Examiner rejects claims 1-10 under 35 U.S.C. §103(a) as being allegedly obvious over Japanese Patent Publication No. 2001-083486 to Tanaka (hereinafter "Tanaka") in view of U.S. Patent No. 6,002,582 to Yeager et al. (hereinafter "Yeager").

Under 35 U.S.C. §103(c), if the prior art cited and the claimed present invention are owned by the same person or subject to an obligation of assignment to the same person, the cited reference may not be used against that person or assignee to preclude patentability under this section. The undersigned hereby states that Application 09/843,008 and Japanese Patent Publication No. 2001-083486 were owned by NEC at the time the invention of Application 09/843,008 was made. Accordingly, Applicant respectfully requests withdrawal of the §103(a) rejection of claims 1-10, and respectfully requests allowance of claims 1-10.

In view of the above, it is respectfully submitted that this application is in condition for allowance. Accordingly, it is respectfully requested that this application be allowed and a Notice of Allowance issued. If the Examiner believes that a telephone conference with Applicant's attorney would be advantageous to the disposition of this case, the Examiner is requested to telephone the undersigned.

Respectfully submitted,



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